

REMARKS

Please consider the following comments. Claims 1 – 8, 10, 12 – 17, 19 – 26, and 28 – 32 were allowed by the Examiner in the Notice of Allowance and Fee(s) Due mailed on September 30, 2011. In the foregoing amendments, claims 4 – 6, 17, 19 – 26, and 28 – 32 were canceled. Only allowed claims 1 – 3 and 7, 8, 10, and 12 – 16 will remain in the application, if this Rule 312 Amendment is entered.

In the Office Action mailed on April 6, 2009, the Examiner set forth an election/restriction requirement between four groups of invention (Groups I – IV). After amendments to the claims during the prosecution of the application and at the time of allowance of this application, the four groups of invention correctly encompassed the following claims:

- Group I, claims 1 – 6,
- Group II, claims 7, 8, 10, and 12 – 16,
- Group III, claims 17, 19 – 25, and
- Group IV, claims 26 and 28 – 32.

In the Response filed on April 30, 2009, Applicants elected the invention contained within Group II (initially claims 7 – 16, now claims 7, 8, 10, and 12 – 16). At the time of the allowance of these claims, this group of claims was characterized, in part, by the oligomer limitation set forth therein. In the foregoing amendments, claims 1 and 2 were amended to be consistent with the oligomer limitation set forth in claims 7 – 16 of Group II. Accordingly, rejoinder of claims 1 – 3 with allowed claims 7, 8, 10, and 12 – 16 is proper.

In contrast to the amended claims 1 – 3, the remaining claims of group I (claims 4 – 6) and the remaining claims of Groups III and IV (17, 19 – 26, and 28 – 32) may not be consistent

with the “oligomer” requirements of elected claims 7, 8, 10, and 12 – 16). Accordingly, the rejoinder of claims 17, 19 – 26, and 28 – 32 with allowed claims 7, 8, 10, and 12 – 16 is not necessary and may not be proper. Therefore, claims 4 – 6, 17, 19 – 26, and 28 – 32 were canceled in the foregoing amendments.

Applicants respectfully request that the foregoing amendments to claims 1 and 2 and the cancellation of claims 4 – 6, 17, 19 – 26, and 28 – 32 be entered under the provisions of 37 C.F.R. § 1.312, since these amendments are clearly directed to matters of form, do not add new matter, and do not raise any issues requiring further consideration or search by the Examiner.

In the event there are any questions in connection with the foregoing amendments to claims 1 and 2 and the foregoing cancellation of claims 4 – 6, 17, 19 – 26, and 28 – 32, it is respectfully requested that the undersigned be telephoned at the below listed number to resolve any outstanding issues.

Since this Rule 312 Amendment is being submitted prior to payment of the issue fee, no fee is believed to be necessary. Please charge any unforeseen fees that may be due, or credit any overpayment thereof, to Deposit Account No. 50-1147.

Respectfully submitted,
/R. Eugene Varndell, Jr./

R. Eugene Varndell, Jr.
Attorney for Applicants
Registration No. 29,728

POSZ LAW GROUP, PLC
12040 South Lakes Drive
Suite 101
Reston, Virginia 20191
(703) 707-9110